

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

CALIFORNIA PACIFIC BANK,

Case No. 07-03330 JCS

Plaintiff(s),

**ORDER GRANTING IN PART AND
DENYING IN PART DEFENDANT'S
MOTION TO DISMISS [Docket No. 18]**

v.

BANK OF AMERICA,

Defendant(s).

On August 15, 2007, Defendant Bank of America filed a Motion to Dismiss (the "Motion").

On September 21, 2007, the Motion came on for hearing. Leo LaRocca, counsel for Plaintiff, appeared. Mark Kenney and Mark L. Wraight, counsel for Defendant, appeared.

For reasons stated on the record, and good cause appearing,

IT IS HEREBY ORDERED that the Motion is GRANTED IN PART, AND DENIED IN PART. This action shall be stayed for six (6) months.

IT IS HEREBY FURTHER ORDERED that the initial case management conference, currently set for October 12, 2007, at 1:30 p.m., has been continued to **March 7, 2008, at 1:30 p.m.** A joint case management conference statement shall be due by **February 29, 2008.**

IT IS SO ORDERED.

Dated: October 1, 2007


JOSEPH C. SPERO

United States Magistrate Judge